

Amendment No. 1 to HB0952

Sexton C
Signature of Sponsor

AMEND Senate Bill No. 413*

House Bill No. 952

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Visiting Sports Team Act."

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 6, Part 2, is amended by adding the following as a new section:

(a) A physician who is duly qualified to practice medicine under the laws of another state is exempt from the licensure requirements of § 63-6-201, subject to this section, if either of the following applies:

(1) The physician has a written or oral agreement with a sports team to provide care to team members and coaching staff traveling with the team for a specific sporting event to take place in this state; or

(2) The physician has been invited by a national sport governing body to provide services to athletes and coaching staff at a national sport training center in this state or to provide services to athletes and coaching staff at an event or competition in this state that is sanctioned by the national sport governing body.

(b) The exemption provided by this section only applies while:

(1) The physician's practice is limited to that required by the team or the national sport governing body; and

(2) The services provided by the physician are within the physician's scope of practice.

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(c) The exemption provided by subsection (a) permits a physician to provide care or consultation to a person specified in subsection (a). Nothing in this section permits a physician exempt by this section to:

(1) Provide care or consultation to any person residing in this state other than a person specified in subsection (a); or

(2) Practice at a licensed healthcare facility in this state.

(d) An exemption pursuant to subdivision (a)(1) is valid while the physician is traveling with the sports team, subject to the following:

(1) The exemption shall not be longer than ten (10) days in duration for each respective sporting event without prior authorization from the board of medical examiners;

(2) The board of medical examiners may grant an extension of not more than twenty (20) additional days per sporting event; and

(3) No physician shall be exempt for more than thirty (30) total days in a calendar year.

(e) An exemption pursuant to subdivision (a)(2) is valid during the time certified by the national sport governing body; however, no physician shall be exempt for more than thirty (30) total days in a calendar year.

(f) No physician exempt pursuant to this section shall dispense or administer controlled substances unless:

(1) The patient to whom the controlled substance is administered or dispensed is over eighteen (18) years of age and is a person described in subdivision (a)(1) or (a)(2); and

(2) The physician reports all controlled substances dispensed or administered to any applicable state controlled substance database in the physician's state of licensure.

(g) For purposes of this section, "sports team" means a professional, semi-professional, or amateur team including, but not limited to, a college, high school, grade school, or non-school affiliated team, such as those associated with the Amateur Athletic Union (AAU).

(h) The board of medical examiners may enter into agreements with medical licensing boards of other states to implement this section. Agreements may include procedures for reporting potential medical license violations.

(i) The board of medical examiners may promulgate rules to effectuate the purposes of this section. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. Tennessee Code Annotated, Title 63, Chapter 9, is amended by adding the following as a new section:

(a) A physician who is duly qualified to practice medicine under the laws of another state is exempt from the licensure requirements of § 63-9-104, subject to this section, if either of the following applies:

(1) The physician has a written or oral agreement with a sports team to provide care to team members and coaching staff traveling with the team for a specific sporting event to take place in this state; or

(2) The physician has been invited by a national sport governing body to provide services to athletes and coaching staff at a national sport training center

in this state or to provide services to athletes and coaching staff at an event or competition in this state that is sanctioned by the national sport governing body.

(b) The exemption provided by this section only applies while:

(1) The physician's practice is limited to that required by the team or the national sport governing body; and

(2) The services provided by the physician are within the physician's scope of practice.

(c) The exemption provided by subsection (a) permits a physician to provide care or consultation to a person specified in subsection (a). Nothing in this section permits a physician exempt by this section to:

(1) Provide care or consultation to any person residing in this state other than a person specified in subsection (a); or

(2) Practice at a licensed healthcare facility in this state.

(d) An exemption pursuant to subdivision (a)(1) is valid while the physician is traveling with the sports team, subject to the following:

(1) The exemption shall not be longer than ten (10) days in duration for each respective sporting event without prior authorization from the board of osteopathic examination;

(2) The board of osteopathic examination may grant an extension of not more than twenty (20) additional days per sporting event; and

(3) No physician shall be exempt for more than thirty (30) total days in a calendar year.

(e) An exemption pursuant to subdivision (a)(2) is valid during the time certified by the national sport governing body; however, no physician shall be exempt for more than thirty (30) total days in a calendar year.

(f) No physician exempt pursuant to this section shall dispense or administer controlled substances unless:

(1) The patient to whom the controlled substance is administered or dispensed is over eighteen (18) years of age and is a person described in subdivision (a)(1) or (a)(2); and

(2) The physician reports all controlled substances dispensed or administered to any applicable state controlled substance database in the physician's state of licensure.

(g) For purposes of this section, "sports team" means a professional, semi-professional, or amateur team including, but not limited to, a college, high school, grade school, or non-school affiliated team, such as those associated with the Amateur Athletic Union (AAU).

(h) The board of osteopathic examination may enter into agreements with medical licensing boards of other states to implement this section. Agreements may include procedures for reporting potential medical license violations.

(i) The board of osteopathic examination may promulgate rules to effectuate the purposes of this section. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2018, the public welfare requiring it.